CHAPTER 2. THE FEDERAL AVIATION ADMINISTRATION AND FLIGHT STANDARDS: HISTORY AND ORGANIZATION

SECTION 1. HISTORY AND ORGANIZATION OF THE FEDERAL AVIATION ADMINISTRATION

41. EARLY AVIATION REGULATORY AUTHORITY AND RESPONSIBILITIES.

A. The need for an aviation regulatory authority was recognized in the early 1920's; however, the numerous bills introduced to the United States Congress attempting to establish it were unsuccessful. It was not until the Air Mail Act was enacted in early 1925 that the American air carrier industry began and the need for an aviation regulatory authority became imperative. As a result of this act, the Post Office Department began to give air mail contracts to newly formed air carriers financed by individuals such as William A. Rockefeller and Henry Ford. The air carrier industry activity that began that year was minimal, yet this activity, along with requests from industry for federal aviation safety regulations, prompted legislative proposals for an Air Commerce Act.

B. The Air Commerce Act was enacted in 1926. This act commissioned the Secretary of the Department of Commerce to be responsible for fostering air commerce, issuing and enforcing air traffic rules, certifying pilots and aircraft, and operating and maintaining air navigation aids (NAVAID). In 1936, the Department of Commerce became responsible for controlling en route air traffic, which soon became its most demanding civil aviation responsibility.

C. By 1937, the air carrier industry had expanded so rapidly that the functional responsibilities for aviation activity within the Department of Commerce had become fragmented. For example, airway beacons had become the responsibility of the Department of Lighthouses while aviation maps had become the responsibility of the Coast and Geodetic Survey organization. This fragmentation and the lack of formal procedures for establishing aviation regulations resulted in numerous Presidential Executive Orders pertaining to air carrier issues. In an attempt to deal with this problem, the Bureau of Air Commerce published a biweekly magazine entitled, "Air Commerce Bulletin," to disseminate information about aviation operations and regulations.

D. The inadequacy of the Air Commerce Bulletins led to the passage of the Federal Register Act in 1937. The Federal Register Act made it mandatory that all federal regulations be codified into a Code of Federal Regulations.

E. In 1938, as a result of a need to modify the Air Commerce Act and a disastrous air safety record in the preceding years, the Civil Aeronautics Act was enacted. The Bureau of Air Commerce was replaced by the newly formed Civil Aeronautics Authority (CAA). The CAA was given the additional authority to issue air carrier route certificates and to regulate airline fares. In 1940, the CAA was divided into the Civil Aeronautics Board (CAB) and the CAA. The CAB was established as an independent agency and was given the authority and responsibility for economic and safety rulemaking and for accident investigations. The CAA was reassigned to the Department of Commerce and was given the responsibility for air traffic control, airman and aircraft certification, safety enforcement, and airway development. In 1946, the CAA was also given the responsibility to oversee a federal-aid airport program.

43. ESTABLISHMENT OF THE FAA.

A. After World War II, from 1945 to 1958, the rapid growth of air commerce, aviation technology, and an increasing public demand for air services caused the aviation industry to reach unforeseen levels of complexity. Under the Department of Commerce, the CAA could not efficiently or adequately fulfill its responsibilities because of drastic reductions in federal spending and appropriations for aviation functions. For example, in 1954, only half of the scheduled very high frequency omnidirectional radio range (VOR) and distance measuring equipment (DME) facilities had been commissioned. Long-range radar systems were delayed until 1956. This situation, coupled with several major, midair collisions in 1956 and 1957, raised public concern about aviation safety issues and led to the enactment of the Federal Aviation Act (FA Act) in 1958.

B. The FA Act transformed the CAA into an independent agency and renamed it the Federal Aviation Agency (FAA). The FAA was given, in addition to all former CAA responsibilities, sole responsibility for developing and maintaining a common civil/military system of air navigation and air traffic control, and the safety and rulemaking functions of the CAB.

C. In 1967, Congress placed the Federal Aviation Agency in the newly created Department of Transportation (DOT) and renamed it the Federal Aviation Administration (FAA). This action was based on the belief of Congress, the executive branch, and the transportation industry that integrated and balanced transportation systems were necessary to meet the nation's transportation needs. It was also believed that the nation's transportation systems could be managed better by a single department. Congress subsequently amended the FA Act, enlarging the FAA role in aviation security, aircraft noise abatement, and airport certification. An Airport and Airway Development Act authorized the FAA Administrator to establish minimum safety standards for airports and to issue operating certificates to air carrier airports meeting those standards. On July 5, 1994, the FA Act was rescinded and recodified into Title 49, United States Code (U.S.C.). As the handbook undergoes revision, all references to the FA Act will be changed to reflect the appropriate section of Title 49, U.S.C.

45. EARLY ORGANIZATIONAL STRUCTURES OF THE FAA.

A. In 1927, the Department of Commerce employed 234 persons working in the Air Regulations Division and the Air Information Division. When the CAA was created, it was adinistered by five appointed officials with authority to regulate civil aviation. The Air Safety Board, an associated agency, was responsible for investigating accidents, determining probable cause of each accident, and making recommendations for accident prevention. From 1938 through 1958, the number of CAA employees grew from 2,900 to 25,800. In 1958, six domestic regions, one international region, the Aeronautical Center, and a Technical Development and Evaluation Center (FAA Technical Center), were directly responsible to the CAA Administrator. Within the CAA headquarters a major operational office was directed by the Assistant Administrator for Operations. A subordinate office to the Assistant Administrator for Operations was called the Office of Aviation Safety. The Office of Aviation Safety was the predecessor of the Bureau of Flight Standards. Other subordinate offices reporting to the Assistant Administrator for Operations were the Office of Federal Airways, the Office of Airports, and Washington National Airport.

B. The first year of the newly formed independent Federal Aviation Agency was 1959. The FAA Washington headquarters organizational structure was as follows:

(1) Three staff level Assistant Administrators:

- Management Services
- Plans and Requirements
- Personnel and Training

(2) Five specialized offices:

- General Counsel
- Civil Air Surgeon
- Congressional Liaison
- Public Affairs
- International Coordination

(3) Five operational bureaus:

- Research and Development (included the FAA Technical Center)
- Flight Standards
- Facilities and Material
- Air Traffic Management
- National Capital Airports

C. In 1959, the FAA regional organizational structure included six domestic regions, one international region, and the Aeronautical Center. Three years later (1961) the FAA set up a "straightline" structure which provided the five operational bureaus (see subparagraph 45B(3)) with tighter control of field operations. In 1962, these operational bureaus were transformed into staff services and the number of regions increased from five to seven domestic regions (Eastern, Southern, Southwestern, Central, Western, Alaskan, and Hawaiian) which reported directly to the FAA Administrator. The nfumber of regions increased to nine in 1971 with the addition of the Great Lakes Region and the New England Region. Ten years later (1981) the Western and Hawaiian regions were reorganized into the Western-Pacific Region and the Northwest Mountain Region.

47. CURRENT FAA ORGANIZATIONAL STRUCTURE (1994). The FAA currently consists of approximately 48,000 employees. In the 1988 reorganization, certain areas of functional responsibility were centralized because it was believed that a higher degree of standardization and control would be beneficial. Other areas of functional responsibility remained decentralized when it was apparent that efficiency would be enhanced by such an organizational

structure. At Washington headquarters, in addition to the specialized offices that perform staff functions for the FAA Administrator, three Executive Directors who report directly to the Administrator were established. Eight Associate Administrators are also based at Washington headquarters. The Associate Administrators report directly to their respective Executive Directors who are responsible for the development of national policy, regulations, methods, and other headquarters functions of the FAA. There are nine domestic regional offices and the Aeronautical Center whose administrators report directly to the Executive Director for System Operations (AXO-1). The Flight Standards Service reports to the Associate Administrator for Regulation and Certification (AVR-1), which is one of three Associate Administrators that report to AXO-1. Regional Flight Standards Division (RFSD) managers based at regional headquarters report directly to the Director of Flight Standards Service (AFS-1) and are responsible for managing and executing the daily operational programs of the Flight Standards Service through a system of district offices. The Flight Standards division managers within the regions serve as the focal point for all Flight Standards activities within their respective regions. These division managers serve as consultants to the regional administrators on behalf of AFS-1.

49. HISTORY OF FLIGHT STANDARDS. When the FAA was created in 1958, the Bureau of Flight Standards was established as one of five operating bureaus within the FAA. This bureau had the responsibility for most of the safety functions of the earlier Office of Aviation Safety at the Department of Commerce. In 1967, the name "Bureau of Flight Standards" was changed to Flight Standards Service. The director of this service reported directly to the FAA Administrator. The Flight Standards Service was later assigned as one of several offices within the Office of Associate Administrator for Aviation Standards which had been established in January 1979. In July of 1979, three new offices, Flight Operations, Airworthiness, and Aviation Safety, absorbed the safety functions previously assigned to the Flight Standards Service. Most headquarters Flight Standards functions were performed by the Office of Flight Operations and the maintenance division of the Office of Airworthiness. In November 1984, the Office of Aviation Safety was reassigned as a staff office reporting directly to the Office of the Administrator. In November 1986, the Office of Flight Standards was created at FAA headquarters by combining the Office of Flight Operations and the maintenance division from the Office of Airworthiness. With this change, Flight Standards safety responsibilities were aligned at the three Flight Standards organizational levels (headquarters, regional, and district offices). In 1988, the Office of Flight Standards was redesignated as the Flight Standards Service.

51. CURRENT ORGANIZATION OF FLIGHT STANDARDS SERVICE.

A. Headquarters Organization. The Flight Standards Service (AFS), the Aircraft Certification Service (AIR), and the Office of Rulemaking (ARM) report to the Associate Administrator for Regulation and Certification (AVR) (see figure 1.2.1.1.). The Flight Standards Service consists of six divisions that report to the Director, AFS-1: the Air Transportation Division (AFS-200), the Aircraft Maintenance Division (AFS-300), the Technical Programs Division (AFS-400), the Flight Standards National Field Office (AFS-500), the Regulatory Support Division (AFS-600), and the General Aviation and Commercial Division (AFS-800). See figure 1.2.1.2. for the general responsibilities of each of these divisions.

B. Regional Organization. The regional headquarters are organized into special staffs and operating divisions similar to those at Washington headquarters. One of the regional divisions is the Flight Standards Division, commonly referred to as the "200 Division." Flight Standards District Offices (FSDO), through office managers, report directly to RFSD managers. RFSD's and FSDO's are responsible for accomplishing special regional programs as well as the national policies and programs developed by AFS-1 (based at Washington headquarters). RFSD managers report directly to AFS-1 (see figure 1.2.1.2.).

53. FLIGHT STANDARDS SERVICE MISSION.

A. The Flight Standards Service is responsible for the certification and regulation of the users of the National Airspace System (NAS). Specifically, the Flight Standards Service mission is stated as follows:

To provide the public with accident-free aircraft operations through the highest standards in the world.

B. The Flight Standards Service is specifically responsible for the following:

- Certification, operating methods, flight operations, and maintenance activities of U.S. air carriers and foreign air carriers operating in and over the U.S.
- Maintenance standards for U.S.-registered aircraft (including continued airworthiness)
- Certification and conduct of commercial, industrial, private, and general aviation operations

- Examination and certification (except medical) of airmen
- Examination and appointment of persons designated and authorized to act as representatives of the FAA Administrator with respect to the certification of airmen and the maintenance of civil aircraft and products
- Use of air navigation facilities and appliances and systems used in civil aircraft; the minimum equipment capability of civil aircraft for operating in the NAS and other established environments; and the operational aspects of flight procedures including en route and instrument approach procedures (except air traffic control)
- Approval of, and surveillance over, the aircraft maintenance programs of operators and pilot schools
- Assurance that appropriate operational considerations are accommodated with regard to aircraft maintenance policies, procedures, and practices
- Establishing operating requirements and criteria for the use of aircraft systems
- Assurance that appropriate policies and practices and other operational considerations are accounted for in the operating limitations and information requirements, in the development of airplane and rotorcraft flight manuals
- Recommending quantities, priorities, and locations for approach and landing NAVAID's and visual aids for the National Airspace System Plan
- Issuance, amendment, and termination of rules and regulations promulgated under Subtitle VII, Subpart A, "Air Commerce and Safety," of Title 49, U.S.C. (formerly the FA Act) that are within the purview of Flight Standards
- Issuance, amendment, and termination of standard instrument approach procedures (SIAP), minimum en route altitudes, flight procedures, operational weather minimums, and minimum equipment requirements
- Granting or denying exemptions from regulations and taking final action on any request or petition for reconsideration

55. FUNCTIONAL ORGANIZATION OF FLIGHT STANDARDS SERVICE.

A. The Flight Standards Service programs are carried out nationwide by a workforce of approximately 3,000 aviation safety inspectors (ASI) and support personnel. The functions of the Flight Standards Service are managed and executed at Washington headquarters through the Office of the Director (AFS-1), six staff elements, three policy divisions, one technical programs division and one national field office; and at one regulatory support division in Oklahoma City, Oklahoma. There are nine regional divisions with 94 FSDO's and satellite offices located throughout the U.S. and its territories. The Flight Standards Service also maintains International Field Offices (IFO) outside the U.S. at Brussels, Belgium; London, United Kingdom; Frankfurt, Germany; and in Singapore. Offices in Europe report to the Eastern Region's Flight Standards Division manager. The Singapore office reports to the Western-Pacific Flight Standards Division manager.

B. The Office of AFS-1 consists of five subordinate staff organizations in addition to the Director's and Deputy Director's administrative staff: Executive staff, Evaluation and Analysis staff, International Liaison staff, Automation Resource Management staff, and Aircraft Evaluation Program staff. They each serve as an extension of the Director and assist the Director in carrying out management functions for accomplishing the Flight Standards Service mission. The Executive staff provides support to the Director for service-wide management activities. It also is responsible for ensuring that Flight Standards Service resource requirements such as people, automation, and facilities are adequately identified, planned, and budgeted for through Flight Standards Service national systems. These resource requirements must be appropriately distributed to adequately meet the certification, surveillance, and enforcement workload demands generated by the industry nationwide. It is also responsible for administrative support services for Washington headquarters managers and employees.

C. There are three Flight Standards Service policy divisions. These policy divisions are the Air Transportation Division (AFS-200), the Aircraft Maintenance Division (AFS-300), and the General Aviation and Commercial Division (AFS-800). These divisions are responsible for the development and interpretation of regulations, policies, and guidance for the certification, inspection, and surveillance of air operators, air agencies, and airmen. Each policy division is assigned an area of functional responsibility according to specific expertise and organizational alignment. These divisions are responsible for determining the standards to be used for the certification of air operators, air agencies, and airmen.

D. The Technical Programs Division (AFS-400) is the Flight Standards division that provides coordina-

tion and leadership for research and development programs, all-weather programs, and human factors programs. This division also sets national operational requirements for en route procedures and instrument approach procedures.

E. The Flight Standards National Field Office (AFS-500) provides nationwide oversight and coordination for the implementation of operational programs. This division develops and publishes national program guidelines for the annual work program and executes the National Aviation Safety Inspection Program (NASIP). This division also provides national standardization and guidance for the administration of large air carrier certificates. The AFS-500 division has responsibility for inspector training, including the annual call for training requirements. AFS-500 also provides national oversight for the maintenance of human resource management systems concerning inspector job performance (such as currency of job task analysis, position descriptions, and performance standards).

F. The Regulatory Support Division (AFS-600) is located in Oklahoma City, Oklahoma. AFS-600 is responsible for providing support to the Flight Standards Service for automation, pilot and written test examiner standardization, and contract personnel support.

G. The RFSD's are responsible for managing and executing the daily operational programs of the Flight Standards Service through a system of district offices, Certificate Management Offices (CMO), and International Field Offices (IFO). The Flight Standards division managers within the regions have the responsibility for all Flight Standards activities within their respective regions. The RFSD staffs provide management support to the field offices for the execution of certification, surveillance, investigation, and enforcement functions. Most domestic RFSD's have international responsibilities for specific geographical areas outside the U.S. For example, the Western-Pacific Flight Standards Division is responsible for Asia and the Pacific territories and countries. Divisions with international responsibilities also provide consultative and liaison services to other countries on flight safety, certification, surveillance, and enforcement.

57. GOALS OF FLIGHT STANDARDS SERVICE.

A. The primary goal of the Flight Standards Service is to ensure continued enhancement of flight safety. This goal is particularly significant in view of economic deregulation; new technological developments; international manufacturing and repair of aircraft equipment; and the public demand for increased services. The Flight Standards Service must ensure that Federal Aviation Regulations (FAR) and FAA policy address these aspects of the aviation environment. The Flight Standards Service must enhance operational safety through aggressive aviation education programs and seminars for industry and the flying public. The Flight Standards Service must explore options for economic incentives and creative solutions for the improved safety compliance of operators.

B. Internally, the Flight Standards Service must ensure optimum availability and use of resources (manpower, financial, equipment, and information) to meet workload requirements brought on by changes in the industry. Systematic forecasting and planning for environmental and industrial changes are required to ensure adequate definitions of new programs and the adaptation of existing programs and work priorities. The Flight Standards Service needs to systematically evaluate whether national initiatives and ongoing line operations meet certification and surveillance program objectives. The permanent goals for the Flight Standards Service include the following:

- Adequate and appropriate airman training and certification
- Adequate operator certification and improvement of operator compliance
- Promotion, surveillance, and assessment of aviation safety in the operating environment
- Support for NAS capacity requirements
- Research and development of human factors relating to aviation safety
- Effective and efficient resource management policies, systems, and procedures

58. - 62. RESERVED.

FIGURE 1.2.1.1.
EXECUTIVE DIRECTOR FOR REGULATORY STANDARDS AND COMPLIANCE
ORGANIZATIONAL STRUCTURE

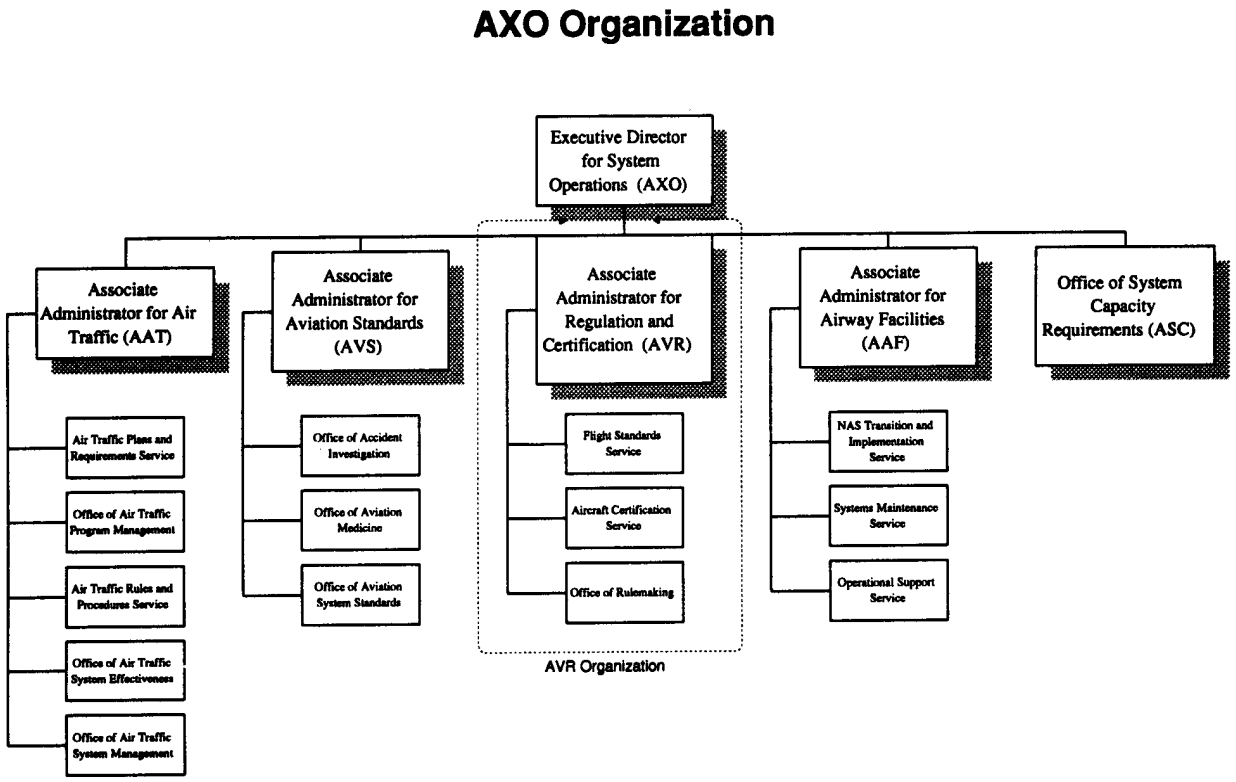
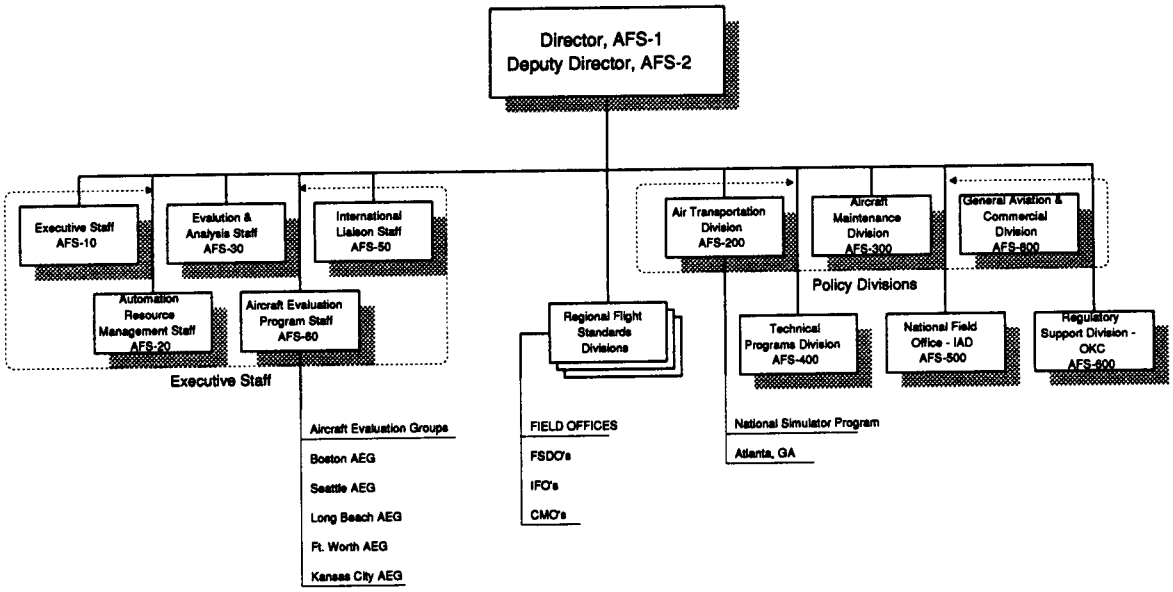


FIGURE 1.2.1.2.
OFFICE OF FLIGHT STANDARDS SERVICE ORGANIZATIONAL STRUCTURE

FLIGHT STANDARDS SERVICE



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